SI

DO

Yale College Library

SENATE..... .....No. 36.

MESSAGE FROM THE GOVERNOR

COMMUNICATING

DOCUMENTS FROM MAINE,

RELATING TO THE

NORTH EASTERN BOUNDARY.

Fe

To

me
Ma
tre
of
soc
the
tak
to
tho
Li
wi
co
Ne
Ma
tec
ag

is
Ma
set
tre

MESSAGE.

To the Senate and
House of Representatives:

I transmit to the two Houses copies of several documents received from His Excellency the Governor of Maine, on the 18th and 19th inst. They relate to the trespasses committed on the public lands,—the property of Maine and Massachusetts,—by bands of plunderers associated in large bodies for the purpose of carrying on their operations, without interruption. The measures taken by Maine to enable her Land Agent to put a stop to these depredations and the purpose of resisting those measures by military force, announced by the Lieutenant Governor of the Province of New Brunswick, will appear from the papers communicated. The course adopted and menaced by the local authorities of New Brunswick has led the Legislature of the State of Maine to the adoption of vigorous measures, for the protection of the public property and the defence of the agents employed in removing the depredators.

Among the papers transmitted by Governor Fairfield, is a copy of a resolve of the House of Representatives of Maine of the 18th inst., requesting the aid of Massachusetts, in the measures adopted by Maine relative to the trespasses on the public lands. The opinions and feel-

ings of Massachusetts, on the great questions connected with the North Eastern Boundary, have been so often set forth, in the public acts of her Legislature and Executive, that they do not need to be repeated. The Land Agent of the Commonwealth has at all times efficiently co-operated with the Land Agent of Maine, in all measures for the protection of the public property, which fall within the scope of the ordinary duties of those officers. I had the honor in my address to the Legislature at the beginning of the session, as on more than one former occasion of the same kind, to call the attention of the two Houses to the ruinous extent of the depredations committed on the public lands in that region. The rightful sovereignty and government of the territory belong exclusively to Maine. Massachusetts has no jurisdiction over it, and possesses only an interest in a moiety of the soil. For this reason, no further steps on our part have been deemed within the competence of Massachusetts, to maintain her rights in the territory, which forms the subject of the controversy so long protracted, between the governments of the United States and Great Britain. Should a state of things unhappily arise, in which the government of the United States shall call upon Massachusetts, for her assistance in asserting the rights so long and so injuriously withheld, I am persuaded that the call will receive a prompt response from the Legislature and the People.

EDWARD EVERETT.

Council Chamber, 20th February, 1839.

EXECUTIVE DEPARTMENT,
Augusta, Feb. 16, 1839.

His Excellency EDWARD EVERETT,
Governor of Massachusetts.

SIR: I have the honor herewith to enclose a Resolve of the Legislature of Maine, making an appropriation for continuing the road "from the military road to some point on the river St. John, near the mouth of Fish river," provided the State of Massachusetts make a like appropriation for the same object.

By a paper forwarded to you this day, you will perceive, that the public lands, belonging to this State and Massachusetts, are now the scene of very extensive devastation and plunder—a band of armed and desperate men, believed to be mostly from the British Provinces, having gone in with a determination to cut timber to any extent they please, and to resist all efforts to break them up. You will perceive that Maine is taking a decisive course in regard to them, and which must, I think, terminate in breaking them up for this winter—at least those gangs whose places of operation are accessible to our forces.

But these depredations will undoubtedly be repeated, winter after winter, with more or less success, unless additional facilities are afforded the agents of the States, in cutting out and making new roads. Under these circumstances, I trust that your Excellency will concur with me in an anxious desire that the Legislature of Massachusetts

should make the appropriation upon which our own is made counterpart.

Of the importance of this road, in more respects than one, I need not speak to your Excellency, to whom the whole subject is familiar.

With assurances of high respect,

I have the honor to be,

Your most obt. servant,

JOHN FAIRFIELD.

STATE OF MAINE.

Resolve in favor of the Aroostook Road.

Resolved, That the Land Agent of this State is hereby directed to carry into operation the law approved March 28, 1831, in relation to the opening and making a road from the military road to some point on the river St. John, near the mouth of Fish river, and not varying to the east of the mouth of the Madawaska river, provided the Commonwealth of Massachusetts shall authorize and empower her Land Agent to unite with the Land Agent of this State in continuing the same, and in contributing her equal proportion with this State in making the same; and the Land Agent of this State is hereby authorized to expend for this purpose the sum of twenty thousand dollars the ensuing year, from money paid into the land office.

Resolved, That the whole amount of the above appropriation shall be expended on that part of the road south of the point where it crosses the Aroostook river; provided so much shall be required to grub and turnpike said road, and bridge the streams that intersect it.

In House of Representatives, Feb. 4, 1839.

Read and passed.

H. HAMLIN, *Speaker.*

IN SENATE, Feb. 5, 1839.

Read and passed.

JOB PRINCE, *President.*

Feb. 6, 1839. Approved.

JOHN FAIRFIELD.

STATE OF MAINE.

Secretary's Office,
Feb. 15, 1839.

I hereby certify, that the foregoing is a true copy of the original, deposited in this office.

Attest, A. R. NICHOLS.

EXECUTIVE DEPARTMENT,
Augusta, Feb. 18, 1839.

His Excellency EDWARD EVERETT,
Governor of Massachusetts:

SIR,—I have the honor herewith to enclose copies of the following papers, to wit: Message of the Governor to the Legislature of 24th ultimo,—Resolve of the Legislature of same date,—Message of the 15th instant, and Resolve of same date,—Message of the 18th instant, and Resolve of same date,—Proclamation of the Lt. Governor of New Brunswick, of the 13th instant, and his Letter to the Executive of this State of the same date.

By these papers you will perceive that a military force has been ordered out by the Lt. Governor of New Brunswick, for the purpose of expelling the Land Agent's party from the Aroostook territory, unless they shall consent voluntarily to withdraw. You will see that Maine has determined not to submit to such a degrading proposition, and has taken such measures for the maintenance of her rights as seemed to be called for by so extraordinary an emergency.

By an Order of the House of Representatives, herewith communicated, I am directed to make this communication to your Excellency, and to request the aid of Massachusetts in the measures taken by this State, which I have the honor now to do.

Wishing to avail myself of an express about to start for Washington, I have only time to say that I am,

With the highest respect,

Your Excellency's Ob't. Servt.,

JOHN FAIRFIELD,

Governor of Maine.

(COPY.)

To the Senate and House of Representatives:

On the 14th of Dec. 1838, the Land Agents of Massachusetts and of this State, appointed Geo. W. Buckmore to proceed to the Aroostook and Fish rivers, for the purpose of preventing, as far as he was able, any trespassing upon the public lands. Mr. Buckmore has just returned from those places, and made a report, which has been communicated to the Governor and Council, and is herewith laid before you for your consideration.

By this report, it appears that a large number of men, many of them, I am informed, from the British Provinces, are trespassing very extensively upon the lands belonging to this State; that they not only refuse to desist, but defy the power of this government to prevent their cutting timber to any extent they please.

Upon the Grand river, it is estimated, there are from forty to fifty men at work. On the Green river, from twenty to thirty. On Fish river, from fifty to seventy-five men, with sixteen yoke of oxen and ten pair of horses, and more daily expected to go in. On township letter H., ten men, with six oxen, and one pair of horses. On the Little Madawaska, seventy-five men, with twenty yoke of oxen and ten horses. At the Aroostook falls, fifteen men and 6 yoke of oxen. The quantity of timber which these trespassers will cut the present winter is estimated in value, by the Land Agent, at $100,000.

These facts, it seems to me, present a case in which not merely the property, but the character of the State is clearly involved. The supremacy of law, as well as the sanctity of right, cannot thus be contemned and set at naught with impunity, without impairing the general authority of the government, and inviting renewed aggressions on the part of daring and lawless men.

Conduct so outrageous and high-handed as that exhibited by these reckless depredators upon the public property, calls for the most prompt and vigorous action of this government.

Under these circumstances, therefore, I would recommend that the Land Agent be instructed forthwith to proceed to the place of operation on the Aroostook, and also upon Fish river, if practicable, with a sufficient number of men, suitably equipped, to seize the teams and provisions, break up the camps, and disperse those who are engaged in this work of devastation and pillage. The number suggested by the Land Agent, as sufficient for this purpose, is fifty. This estimate is probably too small.

The Land Agent, under the law of 1831, may perhaps be invested with sufficient authority for this purpose. But considering that it would be an extraordinary measure, and would involve considerable expense, for which there should be an appropriation, it was deemed best to ask the sanction of the Legislature.

It is not to be supposed, that the provincial government wink at these lawless proceedings on the part of its citizens. On the contrary, we are bound to believe, that it would be as willing as this government to have them arrested. Be it as it may, we are bound by every consideration of duty to ourselves, and to those who have confided their interests to our care, to take some strong, de-

cisive and [illegible]ient measures in a case of so flagrant a character. [illegible]hing else will save our beautiful and valuable forests from destruction and plunder.

I have deemed it expedient to make this communication to you confidentially, under the impression, that if your proceedings should be communicated to the trespassers before the Land Agent was prepared to go in, they would combine their forces, and render any attempt to break them up more difficult, if not more dangerous.

JOHN FAIRFIELD.

Council Chamber, January 23, 1839.

STATE OF MAINE.

Resolve relating to trespassers upon the Public Lands.

Resolved, That the Land Agent be and is hereby authorized and required to employ forthwith sufficient force to arrest, detain, and imprison, all persons found trespassing on the territory of this State, as bounded and established by the treaty of 1783, and that the Land Agent be, and is hereby empowered to dispose of all the teams, lumber, and other materials in the hands and possession of said trespassers, in such way and manner as he may deem necessary and expedient at the time, by destroying the same, or otherwise. And that the sum of ten thousand dollars be and hereby is appropriated for the purpose of carrying this Resolve into effect, and that the Governor, with the advice of the Council, be and is hereby authorized to draw his warrant, from time to time, for such sums as may be required for the purposes aforesaid.

January 24, 1839. Approved,

JOHN FAIRFIELD.

To the House of Representatives.

In compliance with the request of the House of Representatives, I herewith communicate such information, as I have, in relation to the "reported abduction of the Land Agent."

Under the Resolve of the 24th of January last, entitled "Resolve relating to trespassers upon the public lands," the Land Agent repaired, with about two hundred chosen men, to the scene of operation on the Aroostook river. Prior to his reaching there, it is understood that the trespassers, amounting to about three hundred in number, all well armed, had combined and were determined to resist every effort to break them up. Finding however, that the Land Agent had prepared himself with a six pounder, they chose to retire from the ground, passing down the river.

The Land Agent with his Company also passed down the Aroostook to near its mouth, finding the several places of operation abandoned by the trespassers. On Monday last, they captured a gang of about twenty, who had been operating further up the river, and sent several who were considered the ringleaders to Bangor, where it is supposed they are now in jail. On Monday, the Land Agent sent a letter to Mr. McLaughlin, the Land Agent of the Province of New Brunswick, inviting a meeting with him at the house of a Mr. Fitzherbert, about four miles from where the company were then stationed, and on the same evening with four others, Mr. McIntire repaired to the house of Mr. Fitzherbert, intending to pass

the night there. The trespassers, however, in some way became possessed of the facts, and detached a company of about fifty, who seized the Agent and those accompanying him, and transported them, it is believed, beyond the bounds of the State.

Our Company is now at No. 10, on the Aroostook, fortified and anticipating an attack, in case any attempt should be made on our part, to execute the resolve of the 24th of January, by destroying the timber which has already been cut.

I have advised the sending of a reinforcement of three hundred men, as it is probable the number of the trespassers will be constantly augmenting, and if a resolve to that effect be passed, shall appoint an Agent to supply temporarily the place of Mr. McIntire, and lead on the expedition. I have also despatched a special messenger to Sir John Harvey, Lt. Governor of New Brunswick, for the purpose, among other things, of ascertaining whether these high-handed proceedings of the trespassers are authorized, or in any way countenanced by the Provincial Government; and to procure the release of the Agent, and those taken with him. The Agent was also charged with other matters pertaining to this most extraordinary and outrageous proceeding.

The facts above related, except in relation to my own doings, have been communicated to me verbally by the Sheriff of Penobscot, who formed one of the company of the Land Agent.

This is the only communication from the Land Agent, or his company, which I have had verbally or otherwise, that could be relied upon.

JOHN FAIRFIELD.

Council Chamber, Feb. 15, 1839.

STATE OF MAINE.

Resolve in relation to the North Eastern Boundary.

Resolved, That the Governor be authorized to appoint, when circumstances in his opinion require it, some person or persons to supply temporarily, the place of the Land Agent, in executing the Resolve of the twenty-fourth January last, relating to trespassers on the public lands. And the person or persons thus appointed, shall, for the time being, have all the power, and be subject to all the duties of the Land Agent, so far as it regards the Resolve aforesaid.

IN THE HOUSE OF REPRESENTATIVES, Feb. 16, 1839.

Read and passed.

H. HAMLIN, *Speaker*.

IN SENATE, Feb. 16, 1839.

Read and passed.

JOB PRINCE, *President*.

February 16, 1839.

JOHN FAIRFIELD.

STATE OF MAINE.

Secretary's Office,
Augusta, Feb. 18, 1839.

I hereby certify, that the foregoing is a true Copy of the original in this office.

Attest,

A. R. NICHOLS,

Secretary of State.

To the Senate and
House of Representatives:

Since my last communication to you upon the subject of the trespassers upon the public lands, there has been forwarded to me a proclamation purporting to have been issued by the Lt. Governor of the Province of New Brunswick, which I deem it my duty to communicate to you with a statement of my proceedings consequent thereon.

By this proclamation, it seems that while the Lt. Governor disavows any authority from this government for the seizure of the Land Agent, he yet speaks of the attempt of the civil authorities of this State to drive a band of armed trespassers from our public lands as "an outrage" and an invasion of the territory of the Province of New Brunswick, and avows the fact of having ordered "a sufficient military force" to repair to the place where the Land Agent's party are endeavoring to execute your Resolve of the 24th of January, and to repel what he thus regards as an invasion of the Province of New Brunswick.

Immediately upon the receipt of this extraordinary document, I took measures to hasten the departure of the reinforcement of the Land Agent's party, understood to have been assembled at Bangor, awaiting orders, and numbering between four and five hundred men, and also

issued an order to Major General Isaac Hodson of the 3d Division, to detach one thousand men, by draft or otherwise, properly officered and equipped; who were to rendezvous at Bangor, and then proceed at the earliest possible moment to the place occupied by the Land Agent's party, on or near the Aroostook river, there to render such aid as would enable the Land Agent to carry into effect the Resolve of the 24th of January.

I also despatched a special messenger with a communication to Major Kirby of U. S. Artillery, commanding at Hancock Barracks, Houlton, informing him of the facts, and asking his co-operation with the troops under his command, with the forces of this State, in repelling an invasion of our territory, and sustaining our citizens in the lawful and authorized protection they are endeavoring to extend over a portion of the property of the State.

If these proceedings on my part, meet the approbation of the Legislature, and an appropriation be made for the purpose, I shall feel it to be my duty to proceed forthwith to order a draft from the militia of at least ten thousand men, who will hold themselves in instant readiness to march to the frontier should circumstances require it.

I have not yet called upon the President of the United States for aid in repelling the invasion of our territory by foreign troops, deeming it proper to postpone that step until the return of Col. Rogers from his special mission to Frederickton, or at least until some information should be received from him, which will probably be as early as the 20th or 21st inst. If, however, you should think otherwise, and that no delay should be allowed for this purpose, an intimation to that effect will be promptly obeyed.

If I have not entirely misconceived the circumstances of the case presented for your consideration, it is one calculated to excite the deepest feeling in the breasts of our citizens, and calls for the most prompt and determined action on the part of this government. What is that case? You were informed, that a large number of armed and desperate men from a neighboring province had forced themselves into the territory of this State, with a fixed purpose of cutting a vast amount of timber, and of resisting, even unto blood, any attempts to arrest them in the prosecution of their unhallowed object.

Deeming it your duty to make an effort to protect the interests of those who had confided them to your care, you instructed the Land Agent to proceed to the scene of devastation and plunder with a sufficient force to arrest those who were engaged in it, and to break up their daring and wicked enterprise. While in the act of executing this order, the Land Agent was seized, transported beyond the bounds of the State, and finally carried *upon a sled*, like a felon, and under the guard of Provincial troops, to the capital of New Brunswick, for trial. Could a greater indignity be offered to any people having a particle of sensibility to its rights, and its honor, or to the sacredness of the personal liberty of its citizens? It is true that the Lieut. Governor denies that the original seizure was by authority.

But at Woodstock the *Magistrates* took cognizance of the affair, sanctioned the proceedings by issuing a Warrant (acting undoubtedly under the authority of the proclamation,) and sending our citizens under an ignominious escort to Frederickton. Really, if there be any apology or justification for this treatment of our citizens, it is not to be found in any code of international honor or comity with which I have been acquainted.

Not only this, but it seems that a military force is sent into a part of the territory of this State, to expel from it a civil force sent there by this Government, for the protection of its property. How long are we thus to be trampled upon, our rights and claims derided, our power contemned, and the State degraded? If there ever was a time when the spirit of independence and self-respect should assert itself, that time is the present. We cannot tamely submit to be driven from our territory, while engaged in the civil employment of looking after and protecting our property, without incurring a large measure of ignominy and disgrace.

No palliating circumstance for this outrage can be found in even a pretence that the place where it was committed is within the concurrent jurisdiction of the two Governments, much less that the British Government have had exclusive jurisdiction. Lands even higher up and beyond this were surveyed and granted by the State of Massachusetts more than thirty years ago, and Massachusetts and Maine have long been in the habit of granting permits to cut timber upon these Aroostook lands without being to my knowledge molested from any quarter, to say nothing of the sales and actual occupation of the land itself.

It must be gratifying to all who have a true sense of the honor and interests of the State, to perceive that upon this subject the din of party warfare is hushed, and that a unanimity has prevailed alike honorable and patriotic. No interruption to this commendable spirit, I trust, will be suffered. Union and good feeling, no less than prudence and energy, are absolutely necessary in this extraordinary emergency.

JOHN FAIRFIELD.

COUNCIL CHAMBER, *February* 18, 1839.

Since writing the foregoing, I have received a communication from the Lt. Governor of the Province of New Brunswick, in which he sets up an alleged agreement that the British Government shall have exclusive jurisdiction and possession of the disputed territory until the question be settled, and informs us that he is instructed not to suffer any interference with that possession and jurisdiction. He entreats us to withdraw the Land Agent's party, and adds, that he has directed a strong force of "Her Majesty's Troops to be in readiness to support Her Majesty's authority, and protect Her Majesty's subjects in the disputed territory in the event of this request not being immediately complied with."

In regard to all this I have only to say, that for one, I see no reason to doubt the entire correctness of the course we have thus far pursued, and that, with the blessing of God, I trust we shall persevere.

No such agreement as that alluded to by the Lt. Governor can be recognized by us, and it is an entire misapprehension, to say the least of it, that such agreement has ever been made.

The letter having been written before Mr. M'Intire reached Frederickton, no official communication is made as to the course intended to be pursued in regard to him and those arrested with him. I learn, however, indirectly, that they are to be retained.

I am informed that the Land Agent's party have stationed themselves for the present at the termination of the Aroostook Road. While there, Mr. M'Laughlin, the Provincial Land Agent presented himself, and, in the name of Her Majesty, warned our party to disperse.

Mr. M'Laughlin and his two assistants were thereupon taken into custody, and the Agent with one assistant immediately sent to Bangor where they are now detained.

Copies of the Proclamation and Letter of the Lt. Governor of New Brunswick, are herewith communicated.

JOHN FAIRFIELD.

STATE OF MAINE.

Resolves for the Protection of the Public Lands.

Resolved, That the honor and interest of this State demand, that a sufficient military force be forthwith stationed on the Restook river, west of the boundary line of the State, as established by the treaty of 1783; and on the river St. John, if found practicable, at such points as may be best adapted to the object, to prevent further depredations on the public lands, and to protect and preserve the timber, and other lumber already cut there by trespassers, and to prevent its removal without the limits of the State.

Resolved, That the sum of eight hundred thousand dollars be and hereby is appropriated for the purpose of enabling the Executive to carry out the purposes of the foregoing Resolve, and the Resolve passed January 24th, 1839, and that the Governor be and hereby is authorized with the advice of Council, to draw his warrant for the same, from time to time, as it may be needed for that purpose.

House of Representatives, Feb. 18, 1839.

I hereby certify, that the foregoing Resolves, this day passed to be engrossed by an unanimous vote—one hundred and fifty members having voted thereon.

CHARLES WATERHOUSE, *Clerk.*

By His Excellency Major General Sir John Harvey, K. C. B. and K. C. H. Licutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c.

JOHN HARVEY—

A PROCLAMATION.

WHEREAS, I have received information, that a party of armed persons, to the number of two hundred, or more, have invaded a portion of this Province, under the jurisdiction of Her Majesty's Government, from the neighboring State of Maine, for the professed object of exercising authority, and driving off persons stated to be cutting timber therein; and, that divers other persons have without any legal authority, taken up arms with the intention of resisting such invasion and outrage, and have broken open certain stores in Woodstock, in which arms and ammunition belonging to Her Majesty, were deposited, and have taken the same away for that purpose,—I do hereby charge and command all persons concerned in such illegal acts, forthwith to return the arms and ammunition, so illegally taken, to their place of deposite, as the government of the Province will take care to adopt all necessary measures for resisting any hostile invasion or outrage that may be attempted upon any part of Her Majesty's territories or subjects.

And I do hereby charge and command all magistrates, sheriffs, and other officers, to be vigilant, aiding and assisting in the apprehension of all persons so offending,

and to bring them to justice. And in order to aid and assist the civil power in that respect, if necessary, I have ordered a sufficient military force to proceed forthwith to the place where these outrages are represented to have been committed, as well to repel foreign invasion, as to prevent the illegal assumption of arms by Her Majesty's subjects in this Province.

And further, in order to be prepared, if necessary, to call in the aid of the constitutional militia force of the country, I do hereby charge and command the officers commanding the first and second battalions of the militia of the county of Carleton, forthwith to proceed as the law directs, to the drafting of a body of men, to consist of one fourth of the strength of each of those battalions, to be in readiness for actual service, should occasion require.

Given under my hand and seal at Frederickton, the thirteenth day of February, in the year of our Lord one thousand eight hundred and thirty-nine, and in the second year of Her Majesty's reign.

By His Excellency's command,

WM. F. ODELL.

God save the Queen.

(COPY.)

GOVERNMENT HOUSE, FREDERICKTON,
N. Brunswick, Feb. 13, 1839.

SIR :—I have just heard with the utmost surprise and regret, that, without the courtesy of any previous intimation whatever to this government, an armed force from the State of Maine has entered the territory, the claim to which is in dispute betwixt Great Britain and the United States, and which it has been agreed betwixt the two general governments, shall remain in the exclusive possession and jurisdiction of England, until that claim be determined.

It has been my duty, on more than one occasion, to apprise the Executive Government of Maine, that my instructions do not permit me to suffer any interference with that possession and jurisdiction, until the question of right shall have been finally decided, in discussion betwixt the two general governments.

With the knowledge of these instructions, thus explicitly made known, I cannot but repeat the expression of the deep regret which I feel, that instead of seeking their recal or modification, through the presidential government, the State of Maine should thus have forced upon a subordinate officer, the alternative of either failing in his duty, by abstaining from the fulfilment of the commands of his Sovereign, or by acting up to them, placing the two countries in a state of border collision, if not the two nations in immediate and active hostility.

Such, nevertheless, is the position in which I find myself placed by this overt act on the part of the State of Maine, one from which I do not hesitate in entreating your Excellency to relieve me, by ordering the immediate recal of a force whose presence within the precincts of the territory as claimed by England, it is contrary to my instructions to permit, and it is proper that I should acquaint your Excellency, that I have directed a strong force of Her Majesty's troops to be in readiness to support Her Majesty's authority, and to protect Her Majesty's subjects in the disputed territory, in the event of this request not being immediately complied with. With regard to any plea for these proceedings on the part of the state of Maine, connected with timber spoliations in that territory, I have to inform your Excellency, that I have given directions for a boom to be placed across the mouth of the Aroostook, where the seizing officer, protected by a sufficient guard, will be able to prevent the passage of any timber into the St. John in the spring, or to seize it and expose it to public sale, for the benefit of the "Disputed Territory Fund."

Similar precautions will be adopted in regard to any timber cut upon the upper St. John, or the tributary streams falling into it.

Anxiously awaiting your Excellency's reply to this communication,

I have the honor to be,

Your Excellency's

Most obedient humble serv't,

J. HARVEY.

STATE OF MAINE.

House of Representatives, Feb. 18, 1839.

Ordered, That the Governor be requested to communicate forthwith, to the Executive of Massachusetts any information in his possession relating to trespasses committed upon the disputed territory. And to request her aid in the measures taken by this State.

Read and passed.

Sent up for concurrence.

CHARLES WATERHOUSE, *Clerk.*

'eb. '39.

1839.

o com-
chusetts
espasses
request

lerk.